

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	:	
I.O., individually and on behalf of his child	:	
G.O., a minor,	:	
	:	
<i>Plaintiffs,</i>	:	20-CV-5061 (PAC)
	:	
<i>-against-</i>	:	
	:	<u>ORDER</u>
New York City Department of Education,	:	
	:	
<i>Defendant.</i>	:	
-----X	:	

Plaintiffs I.O. individually, and on behalf of his child, G.O. a minor, established at trial on June 23, 2021 that they are prevailing parties under the Individuals with Disabilities Education Act, 20 U.S.C. § 1400, *et seq*, entitled to reasonable attorneys' fees and costs.

As explained on the record, the Court has made independent findings of fact, considered the relevant *Johnson* factors, 488 F.2d 714 (5th Cir. 1974), and analyzed the prevailing rates in comparable cases within this district, *see, e.g., G.T. v. New York City Dep't of Educ.*, No. 18CV11262GDBBCM, 2020 WL 1516403, at *1 (S.D.N.Y. Feb. 12, 2020), report and recommendation adopted, No. 18CIV11262GBDBCM, 2020 WL 1503508 (S.D.N.Y. Mar. 30, 2020). Upon careful consideration of these circumstances, the Court finds the following hourly rates to be reasonable under 20 U.S.C. § 1415(i)(3)(B)(I):

- **Attorneys** - Irina Roller, Benjamin J. Hinerfeld and Mary Jo Whateley: \$425 per hour.
- **Paralegals** - Maria Mandilas and Junnisha S. Sterling: \$150 per hour.
- **Law Clerk** - Michele Zaurov: \$100 per hour.

The Court approves Attorney Roller for 27.2 hours billed and Paralegal Sterling for 10.4 hours billed in connection with the underlying IDEA hearing. The Court further approves Roller Law's expenses of \$426 for the IDEA hearing. Total fees and costs for the IDEA hearing are **\$13,546.00**, broken down as follows:

IDEA Hearing			
	Hours	Rate	Total
Irina Roller	27.2	\$425	\$11,560.00
Junnisha S. Sterling	10.4	\$150	\$1,560.00
Costs			\$426.00
IDEA Fees and Costs			\$13,546.00

For the federal fee action, the Court approves Roller Law attorneys and staff for the following billable hours, but reduces the total hours billed by 33% in the interests of justice:

Federal Fee Action			
	Hours	Rate	Total
Irina Roller	22.6	\$425	\$9,605.00
Benjamin J. Hinerfeld	13.7	\$425	\$5,822.50
Mary Jo Whateley	0.9	\$425	\$382.50
Maria Mandilas	5.8	\$150	\$870.00
Michele Zaurov	10.7	\$100	\$1,070.00
Federal Fees			\$17,750
<i>33% reduction</i>			<i>\$(5,857.50)</i>
Adjusted Federal Fees			\$11,892.50
Costs – SDNY Filing Fee			\$400.00
Federal Fees and Costs			\$12,292.50

Wherefore, Plaintiffs are awarded **\$25,838.50** in total attorneys' fees and costs for the IDEA hearing and for this federal fee action.

Dated: New York, New York
June 29, 2021

SO ORDERED



HONORABLE PAUL A. CROTTY
United States District Judge